

12 APR 2006



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In re Application of	:	DECISION ON
BARTLETT et al	:	
PCT No.: PCT/GB03/01641	:	
Application No: 10/511,461	:	
Int. Filing Date: 16 April 2003	:	PETITION UNDER
Priority Date: 16 April 2002	:	
Attorney's Docket No.: 13058N/041750	:	
For: Arrangement for Cooling a Roll	:	37 CFR 1.47(a)

This is in response to the "RENEWED PETITION UNDER 37 C.F.R. §1.47(a)" filed on 14 March 2006.

BACKGROUND

In a decision from this Office on 09 January 2006, the initial petition under 37 CFR 1.47(a) was dismissed. The decision stated it could not be determined that Mr. Corcoran refused to sign because he needed time to sort out things and also petitioner provided a defective declaration because it did not have Mr. Corcoran's citizenship and residence on it.

On 14 March 2006, submitted a "Renewed Petition Under 37 CFR 1.47(a)" requesting reconsideration of the Office's decision of 09 January 2006 with respect to accepting the above application without the signature of nonsigning co-inventor Mr. Corcoran. Filed with the renewed petition is a new Declaration signed by Mr. Barlett, who is signing on behalf of himself and on behalf of the non-signing joint inventor, Mr. Corcoran, and lists his citizenship. Also, Mr. Myers submitted a declaration stating that Mr. Corcoran still refuses to sign the Declaration as evidenced by a phone conversation on March 8, 2006.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

The renewed petition of 14 March 2006 has satisfied requirements (2) and (4) under 37 CFR 1.47(a). Regarding requirement (2) petitioner has provided sufficient evidence that Mr. Corcoran refuses to sign the required papers, and with respect to requirement (4) petitioner has provided a proper executed declaration.

Consequently, the current record does sufficiently establish that Mr. Corcoran refusal to join in the application because petitioner has shown a *bona fide* attempt was made to deliver the complete application to him and he has refused to sign.

Petitioner has now satisfied items (1), (2), (3), and (4) under 37 CFR 1.47(a), thus completing the requirements under 37 CFR 1.47(a).

DECISION

The petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The 35 USC 371 date of this application is **14 March 2006**.



Rafael Bacares

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Dear Mr. Corcoran:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 118. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.47(a) and (b).


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